

REMARKS

Claims 2-9 and 11-20 are pending in the application. Claims 8, 13 and 16 have been amended. Replacement sheets for Figs. 4 and 5 are being submitted. No new matter has been added.

The drawings were objected to because Figs. 4 and 5 should be labeled prior art. Figs. 4 and 5 have been replaced with corrected sheets. Applicant requests that this objection be withdrawn.

Claim 16 was objected to because of a typographical error. This error has been corrected by deleting the duplicate language. Applicant requests that this objection be withdrawn.

Claim 8 is rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 8 has been amended to depend from claim 7, rather than claim 6, as suggested by the Examiner. Applicant requests that this rejection be withdrawn.

Claims 2-9, 11-13, 15-17, 19 and 20 were rejected under 35 USC 103(a) as being unpatentable over Bharucha, U.S. Patent 6,229,821, in view of Casper, U.S. Patent 5,963,608. This rejection is respectfully traversed.

The claimed invention is directed to a method for transmitting data packaged in flexible-length mini-cells arranged in a frame structure corresponding to that of an SDH or PDH transmission system. The transmission frames are generated directly from the data flow. Accordingly, the claimed device does not first package the mini-cells into ATM cells, but transmits them directly via the PDH or SDH transmission system. Neither of the cited references, either alone or in combination, teaches or suggests this feature.

Bharucha discloses a method of integrating mini packets of variable length into ATM cells (AAL2-Adaptation). As stated previously, the claimed device/method does not first package the mini-cells into ATM cells. Thus, this reference actually teaches away from the claimed

reference. Casper is related to SONET and SDH transmission systems in general and does not teach or suggest the features of the pending claims, as illustrated above. Thus, the features of the pending claims are not taught or suggested by Bharucha, Casper, or a combination thereof. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Claims 14 and 18 were rejected under 35 USC 103(a) as being unpatentable over Bharucha in view of Casper and Petersen, U.S. Patent No. 5,802,051. This rejection is respectfully traversed.

Petersen relates only to a general discussion of an ATM multiplexing system, and does not teach or suggest that the transmission frames are generated directly from the data flow or that the system does not first package the mini-cells into ATM cells, but transmits them directly via the PDH or SDH transmission system. Thus, none of the cited references, either alone or in combination, teach or suggest the claimed invention. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection

with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 449122032100.

Dated: November 19, 2003

Respectfully submitted,

By 

Deborah S. Gladstein

Registration No.: 43,636

MORRISON & FOERSTER LLP

1650 Tysons Blvd, Suite 300

McLean, Virginia 22102

(703) 760-7753

Attachments